

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6649 of 2016

- Nikhil Singh S/o Sitaram, Aged About 22 Years R/o Village Naveengara, Police Station Naveengara, Tahsil & District Aurangabad, Bihar. At Present R/o Nadimod, Ghodari, Police Station & Tahsil Mahasamund, District Mahasamund, Chhattisgarh. ---
Petitioner

Versus

- State of Chhattisgarh through Station House Officer, Police Station Mahasamund, District Mahasamund, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Vikash Pradhan, Advocate
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.10.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 420/2016 registered at P.S. Mahasamund, Distt. Mahasamund (C.G) for the offence punishable under Sections 354 & 456 of IPC.
2. As per the prosecution case, on 02.09.2016 a report was made by the victim that on 01.09.2016 while she was sleeping the applicant entered into the house and caught hold of the hand of victim and she suddenly got up and when she raised voice, the children and other family members caught the applicant. Therefore, the applicant tried to outrage the modesty of the victim.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he has not committed any such offence which would amount to committing outrage of the modesty of the victim. It is

further submitted that the charge sheet in this case has been filed; no further investigation is necessary and the applicant is in jail since 02.09.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the statement of the victim.
6. Considering the nature of offence and the degree of allegations levelled against the applicant as also the fact that the charge sheet in this case has been filed and the applicant is in jail since 02.09.2016, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court/Remand Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**